

In 12-353, I submit the following informal comments.

1) Utility Power

Every alternative to copper-fed POTS shares the same disadvantage. They depend on utility-fed power for operation, whereas POTS works without local power. When that power fails, the FIOS/cable/VOIP phone services goes down, if not immediately, soon after.

Some of the alternatives hype their backup batteries, but those last at best a few hours, not the days a storm-related outage often lasts; or weeks, as with Katrina & Sandy.

Cell service is no substitute, as the Commission has explicitly NOT required cell-sites have backup power available. Further, even if the sites had power, we have seen time and again that cellular system gridlock in the face of emergency loads.

2) Large Outages

The existing system offers time-proven protection against large-scale outages. Even if you were to lose a local Central Office with a bomb, or have one consumed by a fire; neighboring Offices will still have service. But we just saw a multi-state, multi-day, outage of AT&T's U-Verse. Newer based networks are far more fragile.

3) ILEC privileges

With universal service, the ILEC's got not just obligations but also privileges too. These often include very broad easement rights for poles and ducts, tax relief [In Maryland, Verizon pays zero property tax on its Central Office & similar buildings for example] and even extending down to waivers for fees re: blocking roads & freedom from parking tickets.

Assuming the Commission frees the ILEC's from any of their obligations, will they retain these privileges regardless?

In conclusion:

Any change should consider the reliability issue, in worst case situations.

The Commission should do a study of both the derecho & Sandy, and determine how many subscribers were out of service solely from a lack of power, not damage to the communications outside plant. Any decision to release them should take such into account.

The Commission should enact backup power requirements for any/all common

alternative facilities; be they Cable TV pole-mounted amps, cellular sites, AT&T VRAD units, and SLC/DLC units.

Further, before releasing any ILEC from obligations, the Commission should study and delineate those "free lunch" benefits given to the ILEC's, and equalize them with other player's ones.